

In the Claims:

Please cancel claims 16-22, without prejudice.

Please amend claim 1 as follows:

1. (Amended) ~~An isolated nucleic acid molecule encoding a [mammalian TIE ligand] polypeptide,~~
- (a) selected from the group consisting of human [NL-1] NL1 (SEQ. ID. NO: 2), human [NL-5] NL5 (SEQ. ID. NO: 4),~~and~~ human NL8 (SEQ. ID. NO: 6),~~[and homologs thereof in a non-human mammalian species]~~ each containing a fibrinogen-like domain; or
- (b) a polypeptide [biologically active functional derivative thereof, provided that if the functional derivative is an amino acid sequence variant, it has] having at least about 90% amino acid sequence [identify] identity with the fibrinogen-like domain of a [human NL-1, human NL-5, or human NL8 ligand] polypeptide of (a).

Please amend claim 8 as follows:

- Sub B⁴* 8. (Amended) An isolated [mammalian TIE ligand] polypeptide,
- (a) selected from the group consisting of human [NL-1] NL1 (SEQ. ID. NO: 2), human [NL-5] NL5 (SEQ. ID. NO: 4),~~and~~ human NL8 (SEQ. ID. NO: 6),~~[and homologs thereof in a non-human mammalian species]~~ each containing a fibrinogen-like domain; or
- (b) a polypeptide [biologically active functional derivative thereof,

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a
cont.*

provided that if the functional derivative is an amino acid sequence variant, it has] having at least about 90% sequence identity with the fibrinogen-like [region] domain of a human [NL-1, human NL-5, or human NL-8 ligand] polypeptide of (a).

In claim 9, line 1; claim 13, line 1; claim 14, line 1, cancel "TIE ligand" and replace it with --polypeptide--.

I. *The Office Action*

In an Office Action mailed on December 24, 1998 in connection with the above-identified patent application (Paper No. 3), applicants were requested to restrict the claims to one of eighteen groups. The Examiner found that NL-1, NL-5, and NL-8 are "distinct" from one another, and cannot be examined in one application. As a result, claims drawn to nucleic acid encoding each of these polypeptides were considered to cover separate inventions (Groups I-III); just as claims directed to the corresponding polypeptides (Groups IV-VI); antibodies (Groups VII-IX); methods of identifying cells expressing a TIE receptor (Groups X-XII); methods of imaging by administering an antibody agonist of the respective polypeptides (Groups XIII-XV), and methods directed to various diagnostic and therapeutic uses of the individual polypeptides (Groups XVI-XVIII).

The Examiner has set forth the following arguments in support of the alleged distinctness of the four related polypeptides disclosed in this application:

1. The nucleic acid encoding each ligand has a distinct pattern and level of tissue expression.